

REMARKS

1. Posture of the case. Claims 1-21 and a Preliminary Amendment were originally filed. The present Office action of March 28, 2007, is a first Office action.

2. Errors Noted by Applicant

Claims 7, 14, and 21 are herein amended by applicant to correct a prior inadvertent deletion of the words "that informs the." (This prior deletion was in a Preliminary Amendment.)

3. Non-Prior Art Rejections

Claims 15-21 are rejected under 35 USC. 101 on grounds that the claimed invention is directed to non-statutory subject matter. To overcome the rejection, claim 15 is herein amended to state the computer program product is "stored on a physical, computer readable medium" and has "instructions for execution by a computer, wherein the instructions cause the computer to implement a method when executed by the computer." No new matter is added, since the original application provides support for the amendment. See original application, as published, paragraph 0039, in which "computer readable media" includes media that is clearly physical, such as "RAM, flash memory . . . floppy disk, a hard disk drive, a ROM, CD-ROM, DVD."

4. Prior Art Rejections

Claims 1-21 are rejected under 35 USC. 102(b) as being unpatentable over US patent 6,151,643 (Cheng). Applicant herein submits amendments to claims 1, 8 and 15 to overcome the rejections.

In particular, Cheng, col. 6, lines 11-30 and Fig. 1 do not teach or suggest that a first computer system presents a user with an interface for selecting an array of *pre-built, post-load images* stored thereon for combinations of hardware and software, as recited in claims 1, 8 and 15 of the present application. To make this even more clear, claim 1 is herein amended to state that "the respective post-load images [are] substantially identical to respective images resulting on a target computer system hard drive from an installation process of corresponding pre-load images, so that the respective post-load images include software application configuration information, files from the corresponding pre-load images, and links to drivers for hardware of the target system." Claim 8 and claim 15 are similarly amended. No new matter is added, since

the original application provides support for the amendment. See original application, as published, paragraph 0008 .

Also, Cheng, col. 8, lines 21-31 and Fig. 4, which are relied upon in the rejection, do not meet limitations recited in claim 1 regarding “selecting a certain one of the post-load images, wherein the selected image has the software applications selected by the user and the drivers for the hardware selected by the user.” Claims 8 and 15 have similar language. Cheng col. 7, line 62 - col. 8, line 31, merely teaches that a computer system presents a list of software applications for updating that the user selects software applications from the list. What is recited in the Applicant’s claim is not merely that a user selects a software application presented by a list of software applications. The claim recites that a *certain post-load image* is selected having *software applications* that were selected by the user. Due weight should be given to all words of the claims. A “post-load image” is not the same as a “software application.” See above remarks concerning “post-load image.” Cheng does not teach or suggest this, nor does nor Cheng in combination with the other cited references.

In order to make this distinction even more particularly clear, claim 1 is herein amended to state that the method includes “selecting a certain one of the post-load images *by the first computer system responsive to the received user selections*, wherein the selected image has the software applications selected by the user and the drivers for the hardware selected by the user” (emphasis added). (No new matter is added, since the original application provides support for the amendment. See original application, as published, paragraph 0020 .) Cheng does not teach or suggest this, nor does nor Cheng in combination with the other cited references.

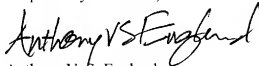
Also, Cheng, col. 8, lines 32-43 and Fig. 5, do not meet limitations recited in originally submitted claim 2 regarding “sending the user a loading utility with the selected image, wherein such a loading utility enables transferring the post-load image to the target computer system without relying on the target computer system having an operating system shell or boot diskette.” Originally submitted claims 9 and 16 had similar language. Claims 1, 8 and 15 are amended herein to incorporate similar language. Aside from the lack of teaching by Cheng about post-load images, as previously mentioned; the above cited passage of Cheng makes no mention of transferring an image to a target computer system *without relying on the target computer system having an operating system shell or boot diskette*, as claimed.

Further, to even more particularly point out a distinction, claims 1, 8 and 15 are herein amended to state that "responsive to execution of the loading utility by the target computer system, the target computer system erases the hard drive and transfers the post-load image to the target computer system." (No new matter is added, since the original application provides support for the amendment. See original application, as published, paragraph 0022 .) Cheng does not teach or suggest this, nor does nor Cheng in combination with the other cited references.

REQUESTED ACTION

Applicant submits that the invention as claimed in accordance with amendments submitted herein is patentably distinct, and hereby requests that Examiner grant allowance and prompt passage of the application to issuance.

Respectfully submitted,



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